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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl. of: I.Fine et al : Examiner: M. Kremer

Serial No. 10/702,044 : Group Art Unit: 3736

Filed: November 6, 2003

For: **METHOD & SYSTEM FOR NON-INVASIVE DETERMINATION
OF BLOOD RELATED PARAMETERS**

TRANSMITTAL LETTER

Commissioner for Patents
P.O.Box 1450
Alexandria VA 22313-1450

Sir/Madam:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) This Transmittal Letter;
- 2) Response & Attachment (Claims);
- 3) Filing Receipt.

The Commissioner is specifically authorized to charge any required fee deficiency under 37 CFR " 1.16 or 1.17, or credit any overpayment, to Deposit Account No. 14-0112 in connection with this matter.

Respectfully submitted,
NATH & ASSOCIATES PLLC

September 27th, 2005

Date
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AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
P.O.BOX 1450
ALEXANDRIA VA 22313-1450

Sir/Madam:

Responsive to the Communication of September 19, 2005, reconsideration and allowance of the claims is requested in view of the following amendments and remarks.

IN THE CLAIMS

Please cancel claims 2, 4, 6-12, 14 and 16, add claims 37-46, and amend the remaining claims as shown in the attachment to this Amendment.

REMARKS

THE PENDING CLAIMS

The indication by the examiner that claims 8, 10-16 and 26-28 contain allowable subject matter is acknowledged with thanks. Claims 1-36 were pending in this application, claims 2, 4, 6-12, 14 and 16 have been canceled, various claims amended and claims 37-46 added. Accordingly, claims 1, 3, 5, 13, 15 and 17-46 remain pending in this case. Reconsideration and allowance of the presently pending claims is solicited by the applicant in view of the following amendments and remarks.

THE FIRST ANTICIPATION REJECTION

Claims 24, 25 and 30 stand rejected under 35USC1.102(b), allegedly as being anticipated by US Patent 6,400,972 (the '972 patent). This rejection is traversed.